

## DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled: Plant Retroelements and Methods Related Thereto

the specification of which (check one):

is attached hereto.

was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

was filed on \_\_\_\_\_ as International Application (PCT) No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, § 1.56(a)*. I hereby claim foreign priority benefits under *Title 35, United States Code § 119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed.

## PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, § 119*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, § 1.56(a)* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILED DATE	STATUS (Patented, Pending or Abandoned)
60/067,125	May 29, 1998	Pending (Provisional)

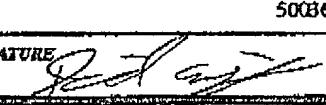
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *Section 1001 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Kristine H. Johnson, Registration Number 36,835, Jennifer Bailes 38,070, and Jean Macheledt 33,956.

Send correspondence to: KRISTINE H. JOHNSON  
THE OPERA GALLERIA, SUITE 219  
123 NORTH COLLEGE AVENUE  
FORT COLLINS, CO 80524

TELEPHONE CALLS TO: KRISTINE H. JOHNSON  
(970) 472-9650

*X* See following pages for additional joint inventors.

Full Name of First or Sole Inventor David A. Wright	Citizenship USA
Residence Address - Street 403 West 2nd Street	Post Office Address Street 403 West 2nd Street
City Boone	City Boone
State or Country Iowa	State or Country Iowa
Zip 50036	Zip 50036
DATE 28 May 99	SIGNATURE 

## DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

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Full Name of Additional Joint Inventor Daniel F. Voytas	Citizenship USA		
Residence Address - Street 3108 Maplewood Road	Post Office Address Street 3108 Maplewood Road		
City Ames	City Ames		
State or Country Iowa	Zip 50014	State or Country Iowa	Zip 50014
DATE 5/28/99	SIGNATURE <i>Daniel F. Voytas</i>		

Full Name of Additional Joint Inventor	Citizenship		
Residence Address - Street	Post Office Address Street		
City	City		
State or Country	Zip	State or Country	Zip
Date	Signature		

Full Name of Additional Joint Inventor	Citizenship		
Residence Address - Street	Post Office Address Street		
City	City		
State or Country	Zip	State or Country	Zip
Date	Signature		

Full Name of Additional Joint Inventor	Citizenship		
Residence Address - Street	Post Office Address Street		
City	City		
State or Country	Zip	State or Country	Zip
Date	Signature		

SEE FOLLOWING PAGES FOR ADDITIONAL JOINT INVENTORS.

S/N 09/322,478

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David A. Wright et al. Examiner: Ashwin Mehta  
Serial No.: 09/322,478 Group Art Unit: 1638  
Filed: May 28, 1999 Docket: 900.175US1  
Title: PLANT RETROELEMENTS AND METHODS RELATED THERETO

REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
Washington, D.C. 20231

In accordance with 37 C.F.R. Section 1.36, M.P.E.P. Section 402.05 and 402.07, please revoke any existing Powers of Attorney, if any, and appoint the following attorneys and/or patent agents to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith:

Anglin, J. Michael	Reg. No. 24,916	LeMoine, Dana B.	Reg. No. 40,062
Beekman, Marvin L.	Reg. No. 38,377	Lundbcrg, Steven W.	Reg. No. 30,568
Bianchi, Timothy E.	Reg. No. 39,610	Macyaert, Paul L.	Reg. No. 40,076
Billion, Richard E.	Reg. No. 32,836	Maki, Peter C.	Reg. No. 42,832
Black, David W.	Reg. No. 42,331	Malen, Peter L.	Reg. No. 44,894
Brennan, Leoniede M.	Reg. No. 35,832	Mates, Robert E.	Reg. No. 35,271
Brennan, Thomas F.	Reg. No. 35,075	McCrackin, Ann M.	Reg. No. 42,858
Brooks, Edward J., III	Reg. No. 40,925	Moore, Charles L., Jr.	Reg. No. 33,742
Chu, Dinh C.P.	Reg. No. 41,676	Narma, Kash	Reg. No. 44,255
Clark, Barbara J.	Reg. No. 38,107	Nelson, Albin J.	Reg. No. 28,650
Clise, Timothy B.	Reg. No. 40,957	Nielsen, Walter W.	Reg. No. 25,539
Dahl, John M.	Reg. No. 44,639	Oh, Allen J.	Reg. No. 42,047
Drake, Eduardo E.	Reg. No. 40,594	Padys, Danny J.	Reg. No. 35,635
Embreton, Janet E.	Reg. No. 39,665	Parker, J. Kevin	Reg. No. 33,024
Fordenbacher, Paul J.	Reg. No. 42,546	Perdok, Monique M.	Reg. No. 42,989
Forrest, Bradley A.	Reg. No. 30,837	Prout, William F.	Reg. No. 33,995
Gamon, Owen J.	Reg. No. 36,143	Schumm, Sherry W.	Reg. No. 39,422
Harris, Robert J.	Reg. No. 37,346	Schwegman, Micheal L.	Reg. No. 25,816
Huebsch, Joseph C.	Reg. No. 42,673	Scott, John C.	Reg. No. 38,613
Jurkovich, Patti J.	Reg. No. 44,813	Smith, Michael G.	Reg. No. 45,368
Kalis, Janal M.	Reg. No. 37,650	Speier, Gary J.	Reg. No. 45,458
Kaufmann, John D.	Reg. No. 24,017	Steffey, Charles E.	Reg. No. 25,179
Klima-Silberg, Catherine I.	Reg. No. 40,052	Terry, Kathleen R.	Reg. No. 31,884
Kluth, Daniel J.	Reg. No. 32,146	Tong, Viet V.	Reg. No. 45,416
Lacy, Rodney L.	Reg. No. 41,136	Viksnins, Ann S.	Reg. No. 37,748
Lemaire, Charles A.	Reg. No. 36,198	Woessner, Warren D.	Reg. No. 30,440

**REVOCATION AND POWER OF ATTORNEY**

Serial Number: 09/322,478

Filing Date: May 28, 1999

Title: PLANT RETROELEMENTS AND METHODS RELATED THERETO

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Dkr 900.175US1

Please direct all correspondence in this case to:

Schwegman, Lundberg, Woessner & Kluth, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
Telephone No. (612)373-6900

Date 10/31/00 By K Kirkland  
Dr. Kenneth Kirkland  
Title: Executive Director, ISURF, Inc.

## ASSIGNMENT

WHEREAS, WE, David A. Wright, residing at 403 West 2nd Street, Boone, IA 50036, and Daniel F. Voytas, residing at 3108 Maplewood Road, Ames, IA 50014, made certain new and useful inventions and improvements for which We filed an application for Letters Patent of the United States on May 28, 1999, which application was assigned U.S. patent application serial number 09/322,478, and is entitled PLANT RETROELEMENTS AND METHODS RELATED THERETO.

AND WHEREAS, Iowa State University Research Foundation, Inc., a corporation organized and existing under and by virtue of the laws of the State of Iowa, and having an office and place of business at 310 Lab of Mechanics, Ames, IA 50011-2131, (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefore;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

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AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27 day of Sept. 2001.

  
David A. Wright

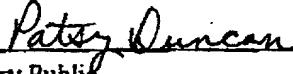
STATE OF Iowa )  
                          )ss.

COUNTY OF Story )

On this 27 day of September, 2001 before me personally appeared David A. Wright to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]



  
Patsy Duncan

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IN TESTIMONY WHEREOF, I have hereunto set my hand this 27 day of SEPT, 2001.

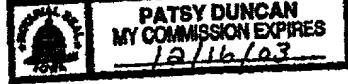
DFVd

Daniel F. Voytas

STATE OF Iowa )  
                          )ss.  
COUNTY OF Story )

On this 27 day of September, 2001 before me personally appeared Daniel F. Voytas to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]



Patsy Duncan  
Notary Public